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Attorneys for Plaintiffs, Coruscant Holdings, LLC d/b/a Lumberton Drugs West, J&S Drug Company, Inc. d/b/a Lumberton Drug, and HomeRx Healthcare, LLC

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND NORTHERN DIVISION

CORUSCANT HOLDINGS, LLC D/B/A
LUMBERTON DRUGS WEST, et al.,

Plaintiffs,

v.

EPIC PHARMACY NEWTORK, INC.,

Defendant.

CASE NO.: 1:19-CV-00035-CCB

Hon. Catherine C. Blake, U.S.D.J.

**DECLARATION OF TODD MIZESKI,
ESQ. IN SUPPORT OF PLAINTIFFS'
PARTIAL MOTION TO DISMISS
DEFENDANT'S AMENDED
COUNTERCLAIM**

I, Todd Mizeski, Esq., of full age, do hereby declare as follows:

1. I am an attorney-at law licensed to practice in the State of New Jersey, and a Partner with the law firm Frier & Levitt, LLC, counsel for Plaintiffs, Coruscant Holdings, LLC d/b/a Lumberton Drugs West, J&S Drug Company, Inc. d/b/a Lumberton Drug, and HomeRx Healthcare, LLC, in the above captioned matter. I am fully familiar with the facts set forth herein. I hereby submit this Declaration in support of Plaintiffs' Partial Motion to Dismiss Defendant's Amended Counterclaim.

2. For the Court's convenience, annexed hereto as Exhibit A is a true and accurate copy of Plaintiffs' Complaint in the above referenced matter. The Complaint can be also found as Document "1" on the Court's electronic filing system docket in the above-captioned lawsuit.

3. For the Court's convenience, annexed hereto as Exhibit B is a true and accurate copy of Defendant's Answer and Amended Counterclaim in the above referenced matter. The Answer can be also found as Document "14" on the Court's electronic filing system docket in the above-captioned lawsuit. The Amended Counterclaim can be also found as Document "31" on the Court's electronic filing system docket in the above-captioned lawsuit.

4. Annexed hereto as Exhibit C are true and accurate copies of the following unpublished decision: Pruitt v. Wells Fargo Bank, N.A., 2015 WL 9490234 (D.Md. 2015).

As permitted under 28 U.S.C. Section 1746, I declare under penalty of perjury that the foregoing is true and correct.

By: s/Todd Mizeski
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Attorneys for Plaintiffs

Dated: September 24, 2019

CERTIFICATION OF SERVICE

I, Todd Mizeski, Esq., of full age, do hereby certify that on the date set forth below, the attached paper(s) was served via the Court's Electronic Case Filing ("ECF") System, upon those parties registered to receive papers through the system, and via United States first class mail, postage pre-paid, on the following:

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I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

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Dated: September 24, 2019